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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/624,579

07/22/2003

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7512

7590

12/01/2005

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JAPAN

EXAMINER

JOHNSON, JERROLD D

ART UNIT

PAPER NUMBER

3728

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|-------------------------------|-----------------------------------|--|
| Office Action Summary | Application No. 10/624,579 | Applicant(s) SUGANAMI, TOSHIRO | |
| | Examiner Jimmy G Foster | Art Unit 3728 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1) Claims 1-10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 2 of claim 1, it is unclear which pocket is being referred to by "said pocket". This may be changed to "a first of said pockets", but Applicant will need to amend the other instances in which this pocket is mentioned in the claims, so as to refer to "said first pocket".

In lines 4-5, the limitation "to receive a compact disc respectively" appears to be inaccurately stated. This should probably read "to receive a compact disc in each respectively".

In line 15 of claim 1, there is no antecedent basis for the fourth partition. Perhaps, this may be claimed as "along side edges of said pocket and said third partition and a fourth partition" (if this was intended).

In line 18 of claim 1, it is unclear which partition is being claimed by "said partition". If Applicant meant to refer to each partition, then "said partition" may be changed to "said partitions" or "each said partition" or "each partition".

In line 20 of claim 1, it is unclear which side-fold is being claimed by "said side-fold". If Applicant intended to refer to each side-fold, then "said side-fold" may be changed to "each said side-fold".

In line 22, it is unclear which compartment space is being claimed by "said compartment space". If Applicant meant to refer to each compartment space, then "said compartment space" may be changed to "each compartment space".

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In lines 22-23, it is unclear which partition is being claimed by "said partition". If Applicant meant to refer to a respective one of the partitions already set forth in the claim, then "said partition" may be changed to "a respective said partition".

2) Claim 10 is objected to under 37CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. It appears that claim 10 is unfinished because all it includes is the preamble. Inasmuch as the preamble of claim 10 does not further limit the subject matter claim 10 may be said to fail to further limit the subject matter set forth in claim 7 from which it depends.

3. Claims 1-10 would be allowable if appropriately amended to overcome the rejections under 35 U.S.C. 112.

3) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy G Foster whose telephone number is (571) 272-4554. The examiner can normally be reached on Mon-Fri, 8:45 am - 5:15 pm.

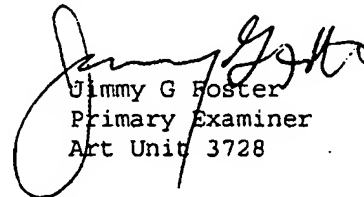
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148..


Jimmy G Foster
Primary Examiner
Art Unit 3728

JGF
9 June 2005